

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND FOURTEENTH LEGISLATURE  
**FIRST REGULAR SESSION**

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR  
NON-EMERGENCY LAWS IS  
SEPTEMBER 30, 1989

PUBLISHED BY THE REVISOR OF STATUTES  
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Company  
Augusta, Maine  
1989

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**PUBLIC LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

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**1989**

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directors of medical laboratories shall be subject to all provisions of this Act, and rules promulgated under it, which govern the performance of maternal serum alpha-fetoprotein testing.

Sec. 3. 22 MRSA §2023, sub-§§3 and 4, as repealed and replaced by PL 1975, c. 218, are amended to read:

3. **Sanitary conditions.** All sanitary conditions within the laboratory and its surroundings, including water supply, sewage, the handling of specimens and general hygiene which shall ~~insure~~ ensure the protection of the public health; ~~and~~

4. **Equipment.** Equipment essential in the opinion of the department and the commission to proper conduct and operation of a medical laboratory: ; ~~and~~

Sec. 4. 22 MRSA §2023, sub-§5 is enacted to read:

5. **Standards of performance.** Standards of performance essential to the achievement of accurate, reliable results and the protection of public health, including standards for maternal serum alpha-fetoprotein testing, covering, at a minimum, volume of testing, population-based reference data, adjustment for variables affecting interpretation of results, confirmatory analyses, reports, review and follow-up and procedures to ensure that patients and physicians are provided adequate and reliable follow-up testing and counseling services and that the department is provided with data on test results and pregnancy outcomes.

See title page for effective date.

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## CHAPTER 73

S.P. 195 - L.D. 443

### An Act to Change the Name of the Maine Committee on Problems of the Mentally Retarded and to Update the Definition of Mental Retardation

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §12004-I, sub-§61, as enacted by PL 1987, c. 786, §5, is amended to read:

61. Mental Health and Mental Retardation	Maine Committee on the Problems of the Mentally Retarded Advisory Committee on Mental Retardation	Expenses Only	34-B MRSA §1210
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Sec. 2. 34-B MRSA §1210, as amended by PL 1983, c. 812, §§262 and 263, is further amended to read:

#### §1210. Maine Advisory Committee on Mental Retardation

The Maine Advisory Committee on ~~the Problems of the Mentally Retarded~~ Mental Retardation, as established

by Title 5, section ~~12004, subsection 10,~~ 12004-I, subsection 61, shall be appointed as follows:

1. **Composition.** The committee shall consist of 11 members to be appointed as follows:

A. One member from the House of Representatives appointed by the Speaker of the House of Representatives;

B. One member from the Senate appointed by the President of the Senate; and

C. Nine representative citizens appointed by the Governor.

2. **Chairman.** The Governor shall designate the ~~chairman~~ chair of the committee.

3. **Duration of appointments.** The duration of appointments shall be as follows.

A. Gubernatorial appointments shall be for terms of 3 years, plus the time period until a successor is appointed.

B. Legislative appointments shall be for the legislative term of office of the person appointed.

4. **Compensation.** Members of the committee shall be compensated according to the provisions of Title 5, chapter 379.

5. **Duties.** The committee shall act in an advisory capacity to the commissioner and to the Director of the Bureau of Mental Retardation in assessing present programs, planning future programs and developing means to meet the needs of the ~~mentally retarded~~ persons with mental retardation in Maine.

Sec. 3. 34-B MRSA §5001, sub-§3, as enacted by PL 1983, chapter 459, §7, is amended to read:

3. **Mental retardation.** "Mental retardation" means a condition of significantly subaverage intellectual functioning ~~manifested during a person's developmental period, existing concurrently with demonstrated defects in adaptive behavior resulting in or associated with concurrent impairments in adaptive behavior and manifested during the developmental period.~~

Sec. 4. 34-B MRSA §5001, sub-§3-A is enacted to read:

3-A. **Mentally retarded.** In future revisions of this Title, wherever "the mentally retarded" or "mentally retarded persons," or "mentally retarded clients" appears, the phrase "persons with mental retardation" should be substituted.

See title page for effective date.